

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC

v.

WELLS FARGO & CO., et al.

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Case No. 2:12-CV-61-JRG-RSP  
CONSOLIDATED

**ORDER**

Currently before the Court is the “Defendants’ Motion For Protection With Respect To Plaintiff’s Notice Of Deposition Of Erich Spangenberg” (Dkt. No. 113), which represents that Plaintiff has noticed the deposition of its principal on one week’s notice with no effort to clear the date in advance with Defendants’ counsel. Noticing depositions without a serious, good faith effort to clear the date in advance with all counsel is not an acceptable practice. Accordingly, the motion is GRANTED and the Notice is quashed.

The deposition may be reset in the proper manner. The Court is sympathetic to Plaintiff’s goal of a single deposition of its principal, applicable to all of its cases, but notes that this may not be achievable unless document production is substantially complete for all defendants before the deposition is set.

**SIGNED this 5th day of June, 2013.**

  
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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE